

REMARKS AND ARGUMENTS

Claim Rejections - 35 USC § 103

Claims 1-6, 23, 24 and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,049,220 (Borden et al.) in view of US Patent No. 6,022,750 (Akram et al.). Claim 30 is rejected under U.S.C. 103(a) as being unpatentable over Borden et al. in view of Akram et al. as applied to claim 1 above, and further in view of US Patent No. 5,787,190 (Peng et al.). Claim 25, 26 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borden et al. in view of US Patent No. 7,091,733 (Takekoshi et al.). By way of this response, Applicants have cancelled claims 24, 31-32 and 34. As such, the rejection to these claims is moot. As for the remaining claims, Applicants respectfully disagree.

Independent claim 1 has been amended to more clearly recite the invention. As amended, it recites a test method which comprises providing first, second and third test structures on a wafer with first, second and third test structure parameters comprising resistive portions from which test measurement values of resistances are measured, wherein the resistive portions comprise effective lengths and effective widths. Test measurement values are obtained from the test structures. A goodness of fit value is calculated by evaluating the difference between the effective lengths divided by the test measurement values and the effective widths of the resistive portions. The goodness of fit value is used to monitor processes used to form a device.

Independent claim 23 recites a test method. The test method comprises providing a device structure with at least first, second and third test structures. The test structures comprise resistive portions having effective lengths and widths from which a test parameter of resistance is measured. Similar to claim 1, a goodness of fit value is calculated for a fitted curve between

the effective lengths divided by the test parameter values and the effective widths of the resistive portion.

As for independent claim 35, it recites a method of forming a device comprising providing test structures on a wafer. The test structures having respective test structure parameters comprising resistive portions from which test measurement values of resistances are measured, wherein the resistive portions comprise effective lengths and effective widths. A goodness of fit value is determined. Similar to claims 1 and 23, the goodness of fit value is based on the effective lengths divided by the test parameter values and the effective widths of the resistive portion.

Applicants submit that calculating or determining a goodness of fit value based on the effective lengths divided by the test parameter values and the effective widths of the resistive portion is nowhere taught or suggested by Borden et al., Akram et al., Peng et al., and Takekoshi et al., alone or in combination. This fact is admitted to by the Examiner in allowing claim 7 and corresponding statement of allowance. *See* Office Action mailed January 26, 2006 at page 5, section 7. Applicants therefore submit that independent claims 1, 23, 35 and their directly or indirectly dependent claims are patentable over the cited art.

Allowable Subject Matter

The Examiner has allowed claims 7-10 and 12-22.

Claim 27 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 27 is dependent on independent claim 25. Applicants have amended claim 25 to include the limitations of claim 27. As such, Applicants submit that claim 25 is now allowable.

Appl. No. 10/622,247
Amdt dated October 13, 2008
Reply to Office Action dated July 11, 2008

Conclusion

It is respectfully submitted that this application is in condition for allowance and the issuance of a formal Notice of Allowance at an early date is respectfully requested. Should the Examiner believe that a telephone conference would expedite prosecution of this application, please telephone the undersigned attorney at his number set out below.

Date: October 13, 2008

Respectfully submitted,

/dexter chin/

Dexter Chin
Attorney for Applicants
Reg. No.: 38,842

Horizon IP Pte Ltd
7500A Beach Road
#04-306/308 The Plaza
Singapore 199591
Tel.: (65) 9836 9908
Fax: (65) 6846 2005